

AMENDED DECISION ON APPLICANT REQUEST FOR RECONSIDERATION

Under section 60851 of title 2 of the California Code of Regulations, if the Bureau of State Audits or the Applicant Review Panel decides to exclude or remove an applicant from the pool of applicants being considered for selection to the Citizens Redistricting Commission, the applicant may, no later than 10 days after the date of the notification of exclusion or removal, request reconsideration of the decision if the decision was the result of an error relating to:

- Having a conflict of interest;
- Failing to satisfy the eligibility requirements for serving on the commission; or
- Failing to comply with the procedural requirements of the application process.

Name of the Applicant/Requestor: Thomas W. Gaffery IV.

Date of the notice of exclusion or removal: December 17, 2009.

Date the request for reconsideration was received: December 28, 2009.

Description of the alleged error that caused the exclusion or removal: Applicant incorrectly answered Question 1 of the initial application regarding whether he has been registered to vote in California continuously since November 18, 2005.

Request for reconsideration is: Granted.

Reason for granting or denying the request: Applicant affirmed that he has been registered to vote in California continuously since January 2005. Applicant therefore he has been registered to vote in California continuously since at least November 18, 2005 as is required for eligibility to serve as a member of the Citizens Redistricting Commission. Applicant also stated that the reason why he submitted this request for reconsideration more than ten days after he was sent notice of being excluded from the initial applicant pool is that he was confused about how to complete the form for requesting reconsideration and had difficulty locating a telephone number for someone at the Bureau of State Audits that he could call to resolve his confusion. Applicant therefore has stated compelling circumstances for granting his late request for reconsideration, particularly as the request was received only one day late, and granting the request causes no harm to the application process.

Applicant's current status: Excluded from the initial applicant pool.

Name and title of person making decision: Steven Benito Russo, Senior Staff Counsel.

Date of decision: March 31, 2010.